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UNCLAS VIENNA 003709

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SUBJECT: CAPE TOWN CONVENTION: AUSTRIA TO WAIT FOR EU ACTION BEFORE RATIFYING

REF: STATE 199212

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¶1. (SBU) Per reftel instructions, post discussed Cape Town Convention demarche with Helmut Tichy, Head of the MFA's International Law Unit, and with Martin Adensamer, Head of the Ministry of Justice's (MoJ) International Civil Law Department. Tichy told us that the MFA would proceed with ratification as soon as it receives permission from the MoJ, which has primary responsibility for the convention.

¶2. (SBU) Adendsamer informed us that the GoA has an interest in ratifying the Cape Town Convention and the related Protocol on Aircraft Finance. However, since the EU has co-responsibility for the Convention and has not yet signed, the MoJ will wait for EU action before initiating ratification. Tichy told us that, in theory, the GoA would not have to wait for the EU to sign, but that the MFA cannot initiate ratification without instructions from the responsible ministry, i.e., the MoJ.

VAN VOORST